

**TITLE 415, NEBRASKA ADMINISTRATIVE CODE, CHAPTERS 4 – 7**

NEBRASKA DEPARTMENT OF ROADS  
RAIL AND PUBLIC TRANSPORTATION DIVISION

RULES AND REGULATIONS CONCERNING  
HIGHWAY–RAIL GRADE CROSSINGS

**NEBRASKA ADMINISTRATIVE CODE – TITLE 415**  
**CHAPTERS 4 – 7**

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**HIGHWAY-RAIL GRADE CROSSINGS**

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**Title 415 - NEBRASKA DEPARTMENT OF ROADS - RAIL AND PUBLIC TRANSPORTATION DIVISION**

**Chapter 4 – Definitions for Highway-Rail Grade Crossings**

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## NEBRASKA ADMINISTRATIVE CODE

### Title 415 - NEBRASKA DEPARTMENT OF ROADS - RAIL AND PUBLIC TRANSPORTATION DIVISION

#### Chapter 4 – Definitions for Highway-Rail Grade Crossings

##### 001 THE FOLLOWING DEFINITIONS APPLY TO ALL PROVISIONS OF TITLE 415, CHAPTERS 5, 6 AND 7:

001.01 ACCESS ROAD. A private or public roadway used to provide vehicular access to private or public property, roads, streets or highways.

001.02 ACTIVE WARNING DEVICE. Traffic control device activated by the approach or presence of a train, such as flashing light signals, automatic gates and similar devices all of which display to motorists positive warning of the approach or presence of a train.

001.03 BLOCKED CROSSING. A crossing that is closed to vehicular traffic by a temporarily stopped train, parked or stored cars, locomotives, equipment or trains engaged in switching movements.

001.04 CORRIDOR. A group of two or more adjacent crossings designated by the Department as a corridor, all located within the same county.

001.05 DEPARTMENT. Nebraska Department of Roads, Rail and Public Transportation Division.

001.06 DEPUTY DIRECTOR-ENGINEERING. Deputy Director-Engineering of the Nebraska Department of Roads.

001.07 DIAGNOSTIC TEAM. A group of representatives from the Department, the railroad, the county or municipality and may include the landowner for private crossings and a representative of the Federal Highway Administration.

001.08 DIAGNOSTIC TEAM REVIEW. Field inspection of specific crossings made by the Diagnostic Team.

001.09 DIRECTOR. Director or Director State Engineer of the Nebraska Department of Roads.

001.10 DISTRICT REPRESENTATIVE. District Engineer or his/her Nebraska Department of Roads representative.

001.11 EXPOSURE FACTOR. Product of most recent average daily vehicle traffic and most recent average daily train traffic at a grade crossing. Example: 100 vehicles/day x 50 trains/day = 5,000 exposure factor.

001.12 FEDERAL RAIL SAFETY FUNDS. Federal funds appropriated specifically for the elimination of hazards at railroad-highway crossings.

001.13 GRADE SEPARATION OR GRADE SEPARATION STRUCTURE. A structure, such as a bridge, viaduct, overpass, or underpass at a Highway-Rail Grade Crossing that creates a separation of the elevation of the highway and the railroad.

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Chapter 4 – Definitions for Highway-Rail Grade Crossings (Continued)

001.14 HIGHWAY-RAIL GRADE CROSSING, GRADE CROSSING OR CROSSING. Intersection of a public or private road and a railroad where the intersecting railroad and highway are at the same elevation.

001.15 MUTCD. Manual on Uniform Traffic Control Devices adopted pursuant to Neb. Rev. Stat. Sec. 60-6,118.

001.16 MAINTENANCE. Any action taken to preserve or restore any feature, device or appurtenance to the approach roadway or crossing in order to keep the approach roadway or crossing in a condition as near as is practical to its condition as originally designed or constructed. Maintenance activities of the local entity or the railroad may include, but are not limited to the following:

001.16A Normal grading activities of aggregate roadways including, but not limited to reshaping the roadway, shoulders and/or the ditches, and embedding gravel.

001.16B The overlay of existing paved roadways that does not include widening of the roadway.

001.16C Replacement of roadway signs and pavement markings by the local entity and replacement of crossing warning signs by the railroad company or railroad track owner.

001.16D Replacement of ties, ballast and rails.

001.16E Signal maintenance including circuitry upgrades of mainline and/or crossing signals.

001.16F Replacement or repair of crossing surface by the railroad company.

001.17 NEBRASKA HIGHWAY-RAIL GRADE CROSSING STUDY. Study conducted by a consultant for the Department in 1998 that established the internal Department process for assessing risk at highway-railroad crossings.

001.18 NEW HIGHWAY-RAIL GRADE CROSSING. The addition of a public or private highway-rail grade crossing at a location that presently does not have a highway-rail grade crossing including, but not limited to:

001.18A The construction of a new roadway across an existing railroad line.

001.18B The construction of a new railroad line across an existing roadway.

001.18C The construction of a new roadway and new railroad line where no railroad or roadway presently exists.

001.18D The conversion of an existing private highway-rail grade crossing to a public highway-rail grade crossing.

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Chapter 4 – Definitions for Highway-Rail Grade Crossings (Continued)

001.19 PASSIVE WARNING DEVICE. Traffic control device utilized to provide the motorist with a constant message over time concerning the crossing such as advance warning signs and pavement markings, stop or yield signs and the crossbuck sign.

001.20 PRIVATE CROSSING. A highway-rail grade crossing on a road that is not a public road.

001.21 PUBLIC CROSSING. A highway-rail grade crossing on a roadway that is under the jurisdiction and maintenance of a public authority and open to the traveling public.

001.22 RTSD. A Railroad Transportation Safety District as defined in Neb. Rev. Stat. Section 74-1305.

001.23 RAILROAD OR RAILROAD COMPANY. An entity authorized by law to operate a railroad in the State of Nebraska, whether that entity owns the land, track, ballast or personal property used as a part of a railroad line, or merely operates a railroad with land, track or personal property owned by another entity, will be considered to be a railroad or railroad company.

001.23A CLASS I RAILROAD. A railroad company as defined by the Surface Transportation Board with 2000 operating revenues in excess of \$262 million.

001.23B REGIONAL RAILROAD. A non-Class I line-hauling railroad operating 350 miles or more of road and/or with revenues of at least \$40 million.

001.23C LOCAL RAILROAD. A railroad which is neither a Class I or Regional Railroad and is engaged primarily in line-haul service.

001.23D SWITCHING AND TERMINAL RAILROAD. A non-Class I railroad engaged primarily in switching and/or terminal services for other railroads.

001.24 RAILROAD TRACK CLASS. The Federal Railroad Administration classifies railroad trackage into six categories based upon maximum permissible operating speed for passenger and freight trains.

<u>Track Class</u>	<u>Passenger</u>	<u>Freight</u>
6	110 mph	110 mph
5	90 mph	80 mph
4	80 mph	60 mph
3	60 mph	40 mph
2	30 mph	25 mph
1	15 mph	10 mph
Excepted	None Allowed	10 mph

001.25 RAILROAD TRACK OWNER. An entity that owns land, railroad track, ballast and/or personal property used as part of a railroad line.

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Chapter 4 – Definitions for Highway-Rail Grade Crossings (Continued)

001.26 RECONSTRUCTED HIGHWAY-RAIL GRADE CROSSING.

001.26A An alteration, expansion or improvement to a public or private highway-rail grade crossing that was not present at the grade crossing as designed or constructed and may include, but is not limited to:

001.26A1 Improvements to the vertical or horizontal geometrics of the approach roadway to bring the approach roadway up to minimum standards for that roadway classification as established by the Nebraska Board of Public Roads Classification and Standards "Nebraska Minimum Design Standards" for Counties, Municipalities and State.

001.26A2 Addition of lanes to the approach roadway.

001.26A3 Changing the approach roadway surfacing from aggregate to paved with concrete or asphalt.

001.26A4 Addition of tracks to the railroad line at the crossing.

001.26A5 Major improvement to the track structure, beyond normal maintenance, to improve the track grade over several hundred feet that includes the area through the crossing.

001.26B A simple relocation of an existing highway-rail grade crossing to improve the alignment between the roadway and the railroad tracks shall not be considered a reconstructed highway-rail grade crossing.

001.26C Actions defined as maintenance shall not be considered to be a reconstructed highway-rail grade crossing.

001.27 STATE GRADE CROSSING PROTECTION FUND. A fund established in the state treasury to be used in furnishing financial assistance for highway-rail grade crossing improvement projects.

002 EFFECTIVE DATE. Sections 001.16, 001.18 and 001.26 shall not impose requirements on work or projects completed prior to the effective date of these regulations.

**ANNOTATION**

**Title 415  
Chapter 4**

**Enabling Legislation  
39-699 and 74-1310  
through 74-1322  
Neb. Rev. Stat.**